



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2303284
Applicant Name: Martha Rose
Address of Proposal: 306 North 133rd Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into four unit lots. Proposed lot sizes are: Parcel A) 1,891 square feet, Parcel B) 1,385 square feet, Parcel C) 1,385 square feet; and Parcel D) 2,127 square feet. Construction of four townhouse units has been approved under a related construction permit (Project #2303283).

The following approval is required:

Short Subdivision - to create four unit lots.
(Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND DATA

Site & Area Description

The 6,788-square foot site is located at the northeast corner of the intersection of North 133rd Street and Greenwood Avenue North. At the site location, both North 133rd Street and Greenwood Avenue North have paved roadways but no curb, gutter, or sidewalk. Vehicular access to the site would be provided via two driveways accessing from North 133rd Street.

The demolition of a single-family residence and construction of four townhouse units (in two structures) have been approved under a related construction permit (Project #2303283). All four units front on North 133rd Street and have direct access to the street. Parking is provided within the structures.

The subject property is zoned Residential, Multifamily, Lowrise 3 (L3). The site is not located in any mapped or observed environmentally critical area (ECA).

Development in the immediate area contains a mix of residential uses including single-family and multi-family residential uses. Property to the north, east, and south of the subject site is also zoned L3. Property to the west is zoned Residential, Single-family, 7,200 (SF 7200).

Proposal Description

The proposal is to subdivide one parcel (the “parent lot”) into four unit lots with vehicular access provided from North 133rd Street. Parking for each of the four units would be provided within each respective unit’s structure.

The construction of four townhouse units was reviewed for consistency with the applicable provisions of the Seattle Municipal Code under a separate construction permit (Project #2303283). The subject of this analysis and decision is only the proposed subdivision of land.

Public Comments

The comment period for this proposal ended on December 10, 2003; no written comments were received.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless specific criteria are met. Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for multi-family residential use. The lots to be created by this unit subdivision might not individually meet all of the standards of SMC Chapter 23.45 for Lowrise 3 zones including setbacks, density, and structure width and depth. However, the development as a whole was reviewed for compliance with applicable standards under the related construction permit review. The development must continue to meet applicable standards when considered as a whole.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

All of the proposed unit lots would have vehicular access to North 133rd Street.

All private utilities are available in this area. Seattle City Light would provide electrical service to the proposed unit lot subdivision. After reviewing the proposal, City Light requires an easement to provide electrical facilities and service to the proposed unit lots (Easement "A" – P.M. #260419-3-008).

The Seattle Fire Department has reviewed and approved the proposed unit lot subdivision design.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities, and Water Availability Certificate #2003-1245 was issued on November 17, 2003.

Drainage review was conducted and approved in conjunction with the related construction permit. An 8-inch public sanitary sewer (PSS) is available in North 133rd Street for sanitary discharge from all four unit lots. The proposed short subdivision provides adequate easements to accommodate sidesewer service.

Although an existing ditch and culvert system in Greenwood Avenue North would be adequate for stormwater discharge, a sidesewer permit already issued for the site provides for infiltration as the method of stormwater control.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short subdivision is consistent with minimum Land Use Code provisions. The development would have adequate access for vehicles, utilities, and fire protection and would have adequate drainage, water supply, and sanitary sewage disposal. Therefore, the public use and interests would be served by permitting the proposed unit lot subdivision of land. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas.*

This site is not located in a mapped or otherwise observed environmentally critical area as defined in SMC 25.09.240.

6. *Is designed to maximize the retention of existing trees.*

The related construction permit (Project #2303283) was reviewed for tree preservation and tree planting requirements. The proposed unit lot subdivision would allow the retention of all trees designated to be planted or preserved during construction permit review.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

The applicant received approval to construct four townhouse units (in two structures) on the parent lot. Pursuant to SMC 23.24.045(B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards.

The applicant has included the following note on the face of the plat to assure that future owners have constructive notice that additional development may be limited due to nonconformities: *“The unit lots shown on the face of this plat are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code.”*

The conformance of the proposed development as a whole with the applicable Land Use Code Provisions is was reviewed under the related construction permit (Project #2303283). These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. Consistent with SMC 23.24.045(C), additional development of the proposed unit lots may be limited. Subsequent platting actions or additions or modifications to the structure(s) shall not create or increase any nonconformity of the parent lot. Consistent with SMC 23.24.045(D), access easements and joint use and maintenance agreements shall be executed for shared walls on property lines, and driveway and pedestrian access.

The proposed short subdivision conforms to the provisions of SMC 23.24.045 for Unit Lot Subdivisions.

SUMMARY - SHORT SUBDIVISION

This unit lot short subdivision would be provided with adequate vehicular and emergency access and with public and private utilities. Adequate provisions for water supply and sanitary sewage disposal would be provided for each lot, and service is assured subject to standard conditions governing utility extensions. Adequate provisions for drainage control have also been provided.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED.**

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording:

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat, and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.
3. Include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light (Exhibit "A," Easement P.M. #260419-3-008) on the final documents.

Signature: (signature on file) Date: January 22, 2004
Leslie C. Clark, AICP
Land Use Planner

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